

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 2, 2020

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APPLICATION OF

SELECTED POWER INC.

CASE NO. PUR-2020-00085

To become a licensed electric
and natural gas aggregator in Virginia

ORDER FOR NOTICE AND COMMENT

On May 15, 2020, Selected Power Inc. ("Selected" or "Company") completed the filing of an application with the State Corporation Commission ("Commission") for a license to act as an aggregator of electricity and natural gas services ("Application"). Selected seeks authority to provide electric and natural gas aggregation services throughout Virginia to eligible commercial and industrial customers.¹ In its Application, Selected attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.²

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Selected's Application; Selected should serve this Order upon the appropriate persons; the Staff of the Commission ("Staff") should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should

¹ Retail choice for natural gas service presently exists only in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s. Retail choice for electricity exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Appalachian Power Company, and the electric cooperatives. Moreover, retail choice for electricity is only permitted pursuant to the customer classes, load parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

² 20 VAC 5-312-10 *et seq.*

have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2020-00085.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),³ a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application may be viewed or downloaded from the Commission's website: <https://scc.virginia.gov/pages/Case-Information>.
- (4) On or before June 12, 2020, Selected shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.⁴
- (5) In accordance with the Commission's revised operating procedures during the COVID-19 emergency, all comments, pleadings, and documents shall be submitted electronically to the Clerk of the Commission to the extent authorized by the Commission's Rules of Practice.⁵

³ 5 VAC 5-20-10 *et seq.*

⁴ See *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

⁵ See *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) (noting that all pleadings should be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150 of the Rules of Practice. Those seeking to hand deliver and physically file or submit a pleading or document to be filed in a case pending before the Commission must contact the Commission's Clerk's Office at (804) 371-9838 to arrange the delivery. Further, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents

(6) On or before June 19, 2020, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, or by filing electronically at <https://scc.virginia.gov/clk/efiling/>.

(7) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to Matthew Brackin, President, Selected Power Inc., 51 Pleasant Street, #222, Malden, Massachusetts 02148, or mbrackin@selectedpower.com. Where possible, the interested person's request shall include an electronic mail address to which the Company may send the requested documents. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(8) Comments on the Application may be filed on or before June 26, 2020, with the Clerk of the Commission at: <https://scc.virginia.gov/casecomments/Submit-Public-Comments> or at the mailing address in Ordering Paragraph (6). A copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the email address set forth in Ordering Paragraph (7). All comments shall refer to Case No. PUR-2020-00085.

(9) The Staff shall analyze Selected's Application and shall present its findings in a Staff Report to be filed on or before July 2, 2020.

(10) On or before July 9, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission, at <https://scc.virginia.gov/clk/efiling/>, any response to the Staff Report. If not filed electronically, an original and fifteen (15) copies of

may not be processed for an indefinite period of time due to the COVID-19 emergency), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020).

the response shall be filed with the Clerk of the Commission at the address in Ordering Paragraph (6).

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via electronic mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to:
Matthew Brackin, President, Selected Power Inc., 51 Pleasant Street, #222, Malden,
Massachusetts 02148, mbrackin@selectedpower.com; and C. Meade Browder, Jr., Senior
Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General,
202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424, MBrowder@oag.state.va.us.